

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the above amendments and the following remarks.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 14-27 are pending in this application and have been rejected in the Office Action. Claims 1-13 have been withdrawn from consideration. By this Amendment, new claim 28 is added. No new subject matter is added as a result of the claim amendments.

Initially, the Disposition of Claims on page 1 of the Office Action indicates that claims 14-27 have been rejected. On page 2, however, the Action indicates that claims 14-21, 23-25 and 27 have been rejected. Applicant is proceeding under the assumption that claims 22 and 26 have not been rejected and therefore contain allowable subject matter.

II. THE REJECTIONS UNDER 35 U.S.C. § 102(b)

In the Office Action, claims 14-21, 23-25 and 27 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,887,648 to Cunnane ("Cunnane"). The rejections are traversed for at least the following reasons.

As recited in independent claim 14, the instant invention is directed to an on-machine seamable fabric comprising a multi-layer base fabric that includes, *inter alia*, "at least one top layer having both MD and CD yarns woven throughout . . . wherein in said at least one top layer, at least one extra CD yarn is woven over the seaming loops." (Emphasis added).

The instant invention is directed at solving problems associated with prior on-machine seamable belts, specifically, problems associated with sheet marking by the seam area since seam areas typically have fabric properties that differ from the body of the fabric, such as a different caliper due to compaction and different air and water permeability, all of which result in

sheet marking. The difference in fabric characteristics in the seam area occurs normally because there are no interwoven MD and CD yarns above the seam area in the top layer(s) of the fabric. This lack of woven MD and CD yarns in prior belts is depicted in FIG. 1 of the instant application and discussed at page 8, line 27 to page 9, line 13.

In order to address the problem of a fabric having differing characteristics between the seam area and the body of the fabric, the instant invention "is a multi-layer press fabric (preferably 3 or 4 layers) having a single or double layer weave over the seam area where warp ends are normally not woven." Page 9, lines 14-16 (emphasis added). The invention involves weaving CD yarns in the flap portion above the seam. As depicted in FIG. 7, flaps of typical prior belts contain only a batt material with no woven yarns therein. An advantage of having a weave above the seam is that a complete woven layer above the seam ensures more uniform fabric characteristics are now imparted across the seam area. Page 9, lines 23-26.

FIG. 2 depicts a seam area constructed in accordance with the instant invention. As shown, the lighter shaded CD yarns 200 are located directly above the seaming loops of the lower layers of the base. These CD yarns 200, which are omitted during the weaving of typical fabrics, complete the top layer pattern in the seam area. It is also noted that this fabric base is preferably woven such that the CD yarns are warp yarns and the MD yarns are weft yarns. As a result, CD yarns 200 represent extra warp yarns, which together with the MD yarns, weave a single layer weave over the seam area. Page 9, line 27 to page 10, line 5. Since the area above the seam is woven with MD and CD yarns, both MD and CD yarns extend across the seam area.

Therefore, the phrase "woven throughout" as used in the following clause from claim 14, "at least one top layer having both MD and CD yarns woven throughout," means that a layer

above the seam includes woven MD and CD yarns that extend across the seam area, directly above the seam area.

Furthermore, as disclosed in the instant application, additional CD yarns can be inserted in the seam area to produce any desired fabric properties or required caliper at the seam. For example, it may be desirable to insert or weave another CD yarn in the seam area to further reduce seam wear, sheet marking and noise. Page 11, lines 1-8.

With respect to the Cunnane reference, the Office Action asserts that Cunnane, particularly FIGS. 9 and 11, discloses an endless seamed multi-layer papermaking fabric with "at least one top layer having both MD and CD yarns throughout". Applicant respectfully disagrees. As depicted in FIG. 9, the fabric includes a seam area that comprises a first loop 95 formed from MD layers 92 and 93 through which a pintle 97 is inserted in order to join the ends of the fabric together. Additionally, a second loop 96 is formed from MD layers 91 and 94. Col. 3, lines 29-37. Therefore, all of the MD yarns that are used to weave the fabric, form loops at each end of the fabric. As a result, the fabric depicted in FIG. 9 does not contain any MD yarns that extend across the seam. In addition, since there are no MD yarns extending across the seam, CD yarns cannot be woven above the seam. Consequently, FIG. 9 does not depict MD and CD yarns "woven throughout" at least one top layer.

Similarly, FIG. 11 also does not contain any MD yarns that extend across the seam area. As depicted, a coil loop element 116 is intermeshed with the ends 115 of the fabric to be joined. The seam is then closed using at least two pintles 117 and 118 that re inserted within the respective ends of the spiral 116. Col. 3, lines 38-44. Seaming is only achieved with the aid of the coil loop element 116 and the pintles 117 and 118. Nowhere is it disclosed or shown that a top layer of the fabric above the seam includes CD yarns woven with MD yarns.

Therefore, the fabrics in Cunnane do not include at least one top layer having MD yarns that extend across, over or above the seam area that weave with CD yarns. Consequently, the MD and CD yarns are not "woven throughout" the top layer as required by claim 14.

In addition, the Office Action asserts that the papermaking fabric disclosed in Cunnane also includes "at least one extra CD yarn woven over the seaming loops." Again, Applicant respectfully disagrees. All of the CD yarns 18 shown in the figures are part of the original weave and do not include an "extra CD yarn." Moreover, the specification does not disclose that extra CD yarns are woven over the seaming loops. In contrast, in the instant invention, additional CD yarns may be inserted or added over the seam area. Page 11, lines 1-2. These additional CD yarns can be inserted or woven in the same manner as the originally woven fabric to further improve the seamed product. Furthermore, the weave pattern in the seam area of the top fabric can be different from that of the main body of the topside fabric weave in order to accomplish the desired effect of "weaving in additional CD yarns." Page 11, lines 4-12. Therefore, the extra CD yarns in the instant invention refer to CD yarns that are added after the base fabric is formed. Hence, Cunnane does not disclose "at least one extra CD yarn [that] is woven over the seaming loops" since all of the CD yarns are part of the weave itself.

For at least the foregoing reasons, it is respectfully submitted that independent claim 14 patentably distinguishes over Cunnane and is therefore allowable. Further, claims 13-27 that depend from claim 14 are allowable therewith. In addition, new claim 28 is also allowable for the reasons given with respect to claim 14.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner

specifically indicate those portions of the respective reference providing the basis for a contrary view.

CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to
Deposit Account No. 50-0320.

Respectfully submitted,
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